

House Bill 981 (AS PASSED HOUSE AND SENATE)

By: Representatives Chambers of the 81<sup>st</sup>, Martin of the 47<sup>th</sup>, and Day of the 163<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 40-8-91 of the Official Code of Georgia Annotated, relating to marking and equipment of law enforcement vehicles and allowing motorist to continue to safe locations before stopping for law enforcement officer vehicles, so as to authorize the Commissioner of the Department of Public Safety to require that patrol vehicles be painted a solid color; to amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedures for state purchasing, so as to exclude emergency response vehicles from the requirements relating to use of retreaded tires; to amend an Act amending Code Sections 15-21-2 and 40-13-26, approved April 18, 2006 (Ga. L. 2006, p. 159), so as to repeal the automatic expiration and sunset provisions of Code Sections 15-21-2 and 40-13-26 of the Official Code of Georgia Annotated; to amend an Act making Code revisions and corrections to the Official Code of Georgia Annotated, approved May 11, 2007 (Ga. L. 2007, p. 47), so as to repeal an automatic repeal; to provide for related matters; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I

**SECTION 1-1.**

Code Section 40-8-91 of the Official Code of Georgia Annotated, relating to marking and equipment of law enforcement vehicles and allowing motorist to continue to safe locations before stopping for law enforcement officer vehicles, is amended by revising subsection (b) as follows:

"(b) Any motor vehicle, except as hereinafter provided in this subsection, used by any employee of the Georgia State Patrol for the purpose of enforcing the traffic laws of this state shall be distinctly painted, marked, and equipped in such manner as shall be prescribed by the commissioner of public safety pursuant to this Code section. The

commissioner in prescribing the manner in which such vehicles shall be painted, marked, or equipped shall:

(1) Require that all such motor vehicles be painted in a two-toned uniform color or a solid color. For vehicles painted in a two-toned color, the The hood, top, and the top area not to exceed 12 inches below the bottom of the window opening thereof shall be a light gray color and the remaining portion of said motor vehicle shall be painted a dark blue color;

(2) Require that any such motor vehicle be equipped with at least one lamp which when lighted shall display a flashing or revolving colored light visible under normal atmospheric conditions for a distance of 500 feet from the front and rear of such vehicle; and

(3) Require that any such motor vehicle shall be distinctly marked on each side and the back thereof with the wording 'State Patrol' in letters not less than six inches in height of a contrasting color from the background color of the motor vehicle.

~~Notwithstanding the above provisions, it shall be permissible for the commissioner to allow not more than five motor vehicles per State Patrol post to be employed in traffic law enforcement which are painted any solid color designated by the commissioner and marked with 'State Patrol' in six inch high letters of a contrasting color."~~

#### SECTION 1-2.

Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedures for state purchasing, is amended by revising Code Section 50-5-60.3, relating to the use of retreaded tires, as follows:

"50-5-60.3.

All state agencies, departments, and authorities shall replace original truck tires of over 16 inch rim size used on nonsteering axles with retreaded tires or subscribe to a retread service as replacement is necessary and as stockpiled tires are depleted; provided, however, that nothing in this Code section shall be construed so as to discourage the use of retreaded tires on other size rims or other types of vehicles if an agency, department, or authority deems such use to be economical, feasible, and desirable. Retreaded tires shall not be used on an official state vehicle which is used to respond to public safety emergencies unless the use of retreaded tires on such a vehicle is expressly approved by the agency, department, or authority responsible for the operation of the vehicle."

**PART II****SECTION 2-1.**

An Act amending Code Sections 15-21-2 and 40-13-26, approved April 18, 2006 (Ga. L. 2006, p. 159), is amended by revising Section 3 as follows:

**"SECTION 3.**

This Act shall become effective on July 1, 2006."

**SECTION 2-2.**

An Act making Code revisions and corrections to the Official Code of Georgia Annotated, approved May 11, 2007 (Ga. L. 2007, p. 47), is amended by repealing Section 15A.

**PART III****SECTION 3-1.**

This Act shall become effective on July 1, 2010, and Part 1 of this Act shall stand repealed on June 30, 2013.

**SECTION 3-2.**

All laws and parts of laws in conflict with this Act are repealed.